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guilty of several serious mistakes in his treatment, and has added several facts whose authenticity is not susceptible of proof.

To the student of administrative institutions the chief value of M. Luchaire's work lies in his pointing out that, on account of the absence of all documents from the seventh to the eleventh centuries, we know, and can know, very much less than French historians have led us to suppose that we did know as to the organization of the original French municipalities. M. Luchaire shows that the supposition of the existence of Roman cities in feudal Gaul is based upon almost no data whatever. Another fact brought out is the great importance of the *villes prévotales*, or *affranchies*. In these are to be found the germs of French municipal government. By their side the appearance of the communes is little more than a kaleidoscopic phenomenon, which we are hardly able to grasp before it has disappeared. In the *villes prévotales*, however, the municipal development is regular and continuous, influenced somewhat, it is true, by the communes, but after their disappearance continuing almost uninterruptedly as before, until the form of organization worked out in them became the form adopted for all France, and the principles of civil and criminal law developed by them in accordance with their charters became the law for all France.

M. Luchaire is eminently fitted for the work set before him in this volume. His studies have been mainly of the times of the Capetians. Notwithstanding the minuteness of his researches in some cases, his book is interesting. It ought to attract not only the student but also the general reader, whom its author had in mind while writing.

F. J. G.

Comparative Summary and Index of State Legislation in 1890.

State Library Bulletin, Legislation No. 1. Albany, 1891.—8vo, 82 pp.

The New York state library has undertaken a most useful task. It has indexed all the commonwealth statutes of general interest passed in 1890, and proposes to carry on this work in a series of yearly bulletins. The scope of each act is very briefly stated (the summary in no case exceeding four or five lines); and the acts passed in different states are grouped under certain general headings. Many acts reappear under several heads, and a fairly full general index makes it easy to discover what laws have been passed upon any particular subject.

The system of classification—if there is any system—is a bad one. The fundamental distinction between public and private law is ignored, and no clear lines of cleavage are discernible within these great groups. Some of the titles are almost valueless as a clue to the matter thrown beneath them; notably the first, “Public Morals.” “*Mœurs*” and

“*Sitten*” have a technical meaning in French and German police law, and in this index we do find under “Public Morals” some of the subjects which a European publicist would expect; but we also find marriage and divorce and amusements. With such an extension of the term “morals,” it is not surprising to meet under this general title, a Kentucky law imposing a penalty upon the false timing of a horse-race. But nearly half the laws noticed might equally well be indexed under this title. All through the index the insertion or non-insertion of particular statutes under particular headings is arbitrary and inconsistent. For example: a North Dakota law providing for the examining and licensing of pharmacists appears under “Public Health, General Regulations,” but not under “Professional and Technical Instruction”—where, however, we find similar laws concerning physicians. A Louisiana statute empowering the board of health to enact rules for the protection of operatives handling poisonous substances appears under the same sub-title of “Public Health,” but not under title “Labor,” sub-title “Health and Safety of Employees,” where one would certainly look for it. The proper technical heading “Factory Legislation”—the heading under which all economists and most lawyers would look for laws of this character—appears nowhere.

In calling itself a “comparative summary” of state legislation, the bulletin claims too much. In the first place, the statement of each law is too summary for purposes of comparison. In the second place, the classification is so faulty that scientific comparison is impossible. To the student of comparative legislation the only value of the bulletin is as an index to the various session laws.

The library announces that in future each legislative bulletin will contain a few pages of “general discussion showing the trend of legislation”; and, at the end, a complete series of state budgets. The latter announcement will be received with general gratitude by students of finance. But as regards the discovery of “the trend of legislation,” it seems to the writer that the state library had better leave that work to the universities, the learned societies and the technical reviews of the entire country. It has done much to help them already, by “blazing out” a path through the almost trackless forest of our legislation; it can best aid them in future by carrying on the same work in a better fashion. The bulletin would be much more useful if the summary of each law were made fuller, and a rational system of arrangement adopted. The classification followed in Stimson’s *American Statute Law* (1886), if not perfect, is vastly better.

The library furnishes this bulletin post-paid at the extremely reasonable price of ten cents.

MUNROE SMITH.